



## **"The City With a Heart"**

---

Sujendra Mishra, *Chair*  
Rick Biasotti, *Vice Chair*  
Mary Lou Johnson  
Perry Petersen  
Kevin Chase  
Joe Sammut  
Bob Marshall, Jr.

### **MINUTES PLANNING COMMISSION MEETING**

**February 21, 2012**

**7:00 p.m.**

**Meeting location: Senior Center, 1555 Crystal Springs Road, San Bruno**

**CALL TO ORDER at 7:00 pm.**

#### **ROLL CALL**

	<u><b>Present</b></u>	<u><b>Absent</b></u>
<b>Chair Mishra</b>	<b>X</b>	
<b>Vice Chair Biasotti</b>	<b>X</b>	
<b>Commissioner Sammut</b>	<b>X</b>	
<b>Commissioner Marshall</b>		<b>X</b>
<b>Commissioner Petersen</b>	<b>X</b>	
<b>Commissioner Chase</b>	<b>X</b>	
<b>Commissioner Johnson</b>	<b>X</b>	

#### **STAFF PRESENT:**

Planning Division: Community Development Director: Aaron Aknin  
Associate Planner: Laura Russell  
Assistant Planner: Matt Neuebaumer  
Contract Associate Planner: Tony Rozzi  
Recording Secretary: Shauna Williams

Pledge of Allegiance: Vice Chair Biasotti

#### **1. Approval of Minutes – January 17, 2012**

**Motion to Approve Minutes of January 17, 2012 Planning Commission meeting.**

**Johnson/ Chase**

VOTE: 6-0  
AYES: All Commissioners Present.  
NOES: None  
ABSTAIN: None

**2. Communication**

E-Packets are available on line at [www.sanbruno.ca.gov](http://www.sanbruno.ca.gov)

Draft Transit Corridor Plan is available on line at [www.planbruno.org](http://www.planbruno.org)

Rebuild Crestmoor website is available at [www.rebuildcrestmoor.org](http://www.rebuildcrestmoor.org)

**3. Public Comment - None**

**4. Announcement of Conflict of Interest**

**5. Public Hearings**

**A. 1000 National Avenue**

**Request for a Use Permit to allow a large family daycare operation in a Planned Development residential apartment per Section 12.84.200 of the San Bruno Zoning Ordinance. Raquel Duran (Applicant) Archstone San Bruno, LLC (Owner) UP-12-001**

*Contract Associate Planner Rozzi:* Entered staff report.

Staff recommends that the Planning Commission approve Use Permit 12-001 based on the Findings of Fact 1-4, subject to Conditions of Approval (1-22) [including a modification to standard condition of approval #3, which describes the process to move the operation to another apartment unit in the same complex].

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Johnson:* You mentioned that the application is for a large family daycare that can hold up to 14 kids and that the applicant with most likely not have 14 kids. Is that based on the two-bedroom or three-bedroom apartment or both? How did this assumption arise?

*Contract Associate Planner Rozzi:* It is based on the conversations held with the applicant in regards to her business and operational goals. There is no restriction within the conditions of approval that prevents the applicant from caring for 14 children. I will let the applicant comment on that question.

*Commissioner Johnson:* You also mentioned that the applicant is awaiting approval for a 3-bedroom apartment in the same complex. I wanted to inform you that anytime your childcare business moves location you are required to be re-licensed by the state.

*Contract Associate Planner Rozzi:* Yes. I will also need to verify if it will require a new Use Permit application as well.

Public Comment Opened.

*Raquel Duran; Applicant:* I have been operating in San Bruno now for 3 years and I am looking to expand my business and take on more children. I feel my business location is very convenient for many residents at the Crossings Apartments. I do not plan on having 14 kids because my place is small and I want the kids to be comfortable. The apartment management is very supportive of my business and has not received any complaints.

*Commissioner Johnson:* What is the square footage of the residence that the kids utilize?

*Raquel Duran; Applicant:* The kids use about 925 square feet, my business office is off limits to the children.

*Commissioner Johnson:* In the event you are awarded the 3-bedroom apartment at your current complex, would you at that time take on more children at your daycare?

*Raquel Duran; Applicant:* No. If I were to move to a larger apartment I would not want more children, I would only have the 8 children. I would be able to better focus on the children.

*Commissioner Johnson:* One of your licensing requirements is to have fenced playgrounds. In the setting that you have this is not the case. How would you speak to that in order for us to make the best decision on your application?

*Raquel Duran; Applicant:* The playground is at the Archstone Apartments with in a cul-de-sac that is not surrounded by much traffic. This is one of the main reasons as to why I don't want more than 8 children at one time, so that I can steadily manage their activities on the playground and watch them closely.

*Commissioner Johnson:* Condition of approval #5, states that all employees shall park in the visitor parking spaces. Is there a time limit as to how long one car can be parked in the visitors' space?

*CD Director Akin:* The city does not monitor the parking at this site. I am unaware of what the visitor sign states at this property.

*Commissioner Petersen:* Condition #8 states that you are able to have 14 children at one given time. Would you be willing to amend that condition to read 9 children as apposed to 14?

*Raquel Duran; Applicant:* Yes, that is fine.

*CD Director Akin:* The only concern that I would have with that is that there are state licensing requirements that require the local approval to be consistent with the state approval. I feel changing the language in our approval would cause some conflict in the long run.

*Commissioner Petersen:* I do not agree with that because there is a question on whether or not this application has been properly represented to the public with accurate information on how many kids are approved to be on site.

*CD Director Akin:* In the public notice that was sent out it states the project is a large family daycare for 14 children.

*Commissioner Johnson:* If the applicant agrees to the number of children to 9, but be able to come back and request to go higher, would you consider that to be a conflict?

*CD Director Akin:* I could still see that as being a conflict. The language would need to be consistent with the state for expansion purposes.

*Chair Mishra:* If this is something that the two Commissioners feel strongly about, you may propose it as an amended resolution and we can vote on it. I disagree with the discussion of limitation on the number of children allowed in the residence and I would like to move forward with the application.

Public Comment Closed.

*Commissioner Johnson:* I did feel the conversation was reasonable and then one question lead to another.

**Motion to approve Use Permit 12-001 based on Findings of Fact (1-4) and Conditions of Approval (1-22) [including the modification to condition #3].**

**Commissioner Johnson/ Chase**

VOTE:	6-0
AYES:	All Commissioners Present.
NOES:	None
ABSTAIN:	None

**Chair Mishra advised of a 10-day appeal period**

## **FINDINGS OF FACT**

1. The use permit to operate a large family day care home is for Apartment G8 located at 1000 National Avenue, which is located in a residential building in a Planned Development zoning district. The use permit to operate a large family day care home will not, with the Conditions of Approval, result in undue negative impacts upon the neighborhood vicinity in terms of traffic, parking, and noise.
2. The operator of the facility will provide an area on the lot for parking or stopping of vehicles to allow children to be picked up or dropped off.
3. The proposed facility complies with applicable off-street parking standards of the zoning ordinance since the subject property contains adequate short-term parking for parents/guardians and dedicated parking for the applicant and her staff.
4. With the Conditions of Approval and pending final inspection, the proposed facility complies with applicable building and fire code provisions, and with the applicable building standards adopted by the State Fire Marshal.

## **CONDITIONS OF APPROVAL**

### **Community Development Department – (650) 616-7042**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Use Permit 12-001 shall not be valid for any purpose.
2. Applicant must obtain a business license through the Finance Department.
3. The request for a use permit for a large family daycare home at 1000 National Avenue, Apt. G6 shall operate according to plans approved by the Planning Commission on February 21, 2012, labeled Exhibit B except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director. Any relocation to a different apartment unit within the 1000 National Avenue building shall require public noticing, community outreach, staff review, and approval by the Community Development Director.
4. Parents and guardians dropping off and picking up children from the apartment unit must park in the loading zone parking or visitor parking when picking up and dropping off their children. Parking in the designated loading zone areas should not exceed ten (10) minutes per the property manager. The applicant will be responsible for including drop-off/pick-up parking information to each parent/guardian upon enrollment. Parents and guardians shall obey all traffic laws.
5. Current and future employees that drive to work shall park in the visitor parking lot located on the south side of the 1000 National Avenue building. If visitor parking becomes consistently unavailable, the applicant may be required to rent an additional garage parking space for each employee at the property manager's and Community Development Director's discretion.
6. Children shall be supervised at all times when outdoors in designated public park areas to control noise levels. Children shall not use public courtyards or building hallways as recreation space.

7. The applicant shall obtain a license from the State of California to operate a large family day care center.
8. The number of children shall be limited to a maximum of fourteen (14) at any one time, including any children that live at the home.

**Fire Department - (650) 616-7096**

9. Please contact the San Bruno Fire Department to conduct a site inspection once all Conditions of Approval have been met.
10. All licenses and permits shall be kept and posted in a conspicuous location.
11. A portable fire extinguisher having a minimum 2A100BC rating shall be mounted in an accessible location no higher than five (5) feet from the floor. The fire extinguisher is required to be visually inspected on a monthly basis. The fire extinguisher shall be serviced annually by a State Fire Marshal-licensed concern and bear a current service tag.
12. A smoke detector shall be located in each sleeping room and at a point centrally located in the corridor or area giving access to each separate sleeping area. Smoke detectors shall be tested monthly. Battery operated detectors must have batteries replaced as needed, not to exceed a period of one (1) year. Smoke detectors shall be installed per manufacturer's installation guidelines and the smoke detector shall not be in service for a period of time to exceed ten (10) years from the date of manufacture.
13. Extension cords shall not be used in place of permanent wiring and shall be used only with portable appliances. Multi-plug adapters, multi-plug extension cords, cube adapters, and other strip plugs and other devices shall not be used.
14. Every story or basement shall be provided with two (2) exits that are remotely located from each other.
15. Obstructions are not permitted in aisles, corridors, stairways and exits.
16. Side gates that are part of the exit path shall be provided with single operation hardware. An example is a string with a handle (at children's level) that is attached to the normal gate latch.
17. A means of exit shall not pass through garages, storerooms, closets or spaces used for similar purposes.
18. Flammable and combustible liquids in quantities in excess of ten (10) gallons shall be stored in a flammable liquid locker or cabinet. Flammable liquids that do not exceed ten gallons shall be stored in approved containers. All hazardous materials shall be stored in an area inaccessible to children.
19. The heating system shall be capable of maintaining a temperature of sixty-eight (68) degrees Fahrenheit.
20. A thirty-six (36) inch clearance shall be maintained around any heat producing equipment or appliances.
21. An emergency evacuation plan shall be developed, reviewed and posted on-site.



22. Fire drills shall be conducted every six (6) months and the records shall be maintained on-site and available for review.

**B. 555 El Camino Real**

**Request for a Temporary Use Permit to allow a construction staging area in a parking lot per Section 12.84.030 of the San Bruno Municipal Code. J.J Nguyen, Inc. (Applicant) City of San Bruno (Owner), TUP-12-001**

*Associate Planner Russell:* Entered staff report. Additional project description handed to Planning Commissioners.

Staff recommends that the Planning Commission **approve** Temporary Use Permit 12-001 based on Findings of Fact (1-3) and Conditions of Approval (1-9).

*Chair Mishra* asked Commission if there were any questions for staff.

*Commissioner Johnson:* The hours of operation on the project description are different than those indicated in the staff report. So is that a change in hours?

*Associate Planner Russell:* I would like to request that we get clarification from the applicant on the hours of operation.

Public Comment Opened.

*Mr. Nguyen; Applicant:* I am here tonight to request the use of the city parking lot for the storage of equipment in the Phase II of our project. We will utilize the parking lot for storage after 4:00 p.m.

Public Comment Closed.

**Motion to approve Temporary Use Permit 12-001 based on Findings of Fact (1-3) and Conditions of Approval (1-9).**

**Commissioner Sammut/ Chase**

VOTE:	6-0
AYES:	All Commissioners Present.
NOES:	None
ABSTAIN:	None

**Chair Mishra advised of a 10-day appeal period**

**FINDINGS OF FACT**

1. The proposed use will not under the circumstances of the particular case, be detrimental to the health, safety, morals, comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.
2. The proposed use will not be injurious or detrimental to property and improvement in the neighborhood or to the general welfare of the city.
3. The proposed use will be consistent with the general plan.

**CONDITIONS OF APPROVAL**

1. The applicant shall file a declaration of acceptance of the following conditions by submitting a signed copy of the Summary of Hearing to the Community Development Department within 30 days of Planning Commission approval. Until such time as the Summary is filed, Temporary Use Permit 12-001 shall not be valid for any purpose. Temporary Use Permit 12-001 shall expire on October 31, 2012.
2. The request for a temporary construction staging area shall be operated according to plans approved by the Planning Commission on February 21, 2012, labeled Exhibit C, except as required to be modified by these Conditions of Approval. Any modification to the approved plans shall require prior approval by the Community Development Director.
3. The applicant shall maintain the construction staging area in a clean and orderly condition. Trash, dirt, and debris shall be cleaned on a daily basis.
4. No building materials or plants shall be stored at the site without prior approval from the Community Development Director.
5. No restroom facilities shall be permitted at the staging area.
6. The applicant shall not perform any maintenance of the equipment at the subject site.
7. The applicant shall remove all equipment and thoroughly clean the staging area within 14 days of the conclusion of the median landscaping project.
8. The applicant shall repair any damage to the parking lot in the area used for construction staging at the end of construction.
9. The applicant shall comply with all best management practices for stormwater pollution prevention.

## 6. Discussion

**A. City Staff Discussion:** Commissioners Sammut, Biasotti, and Chase volunteered for the March 15, 2012 Architectural Review Committee meeting.

**B. Planning Commission Discussion:**

CD Director Akin: Glenview/Crestmoor Update. As you know there were thirty-eight homes destroyed in the fire. We have issued thirteen building permits for the complete rebuild homes thus far. There are a good handful of residents taking advantage of the BuildIt Green grant program to allow an increase in energy efficiency. We have another seven applications in plan review and should be breaking ground fairly soon. I can estimate 20 out of the 38 homes will be under construction and a few of them finished by summer time. I encourage you to take a look at the new website [www.rebuildcrestmoor.org](http://www.rebuildcrestmoor.org) for more information.

I advise you to drive by Treetops Apartments, now called Pacific Bay Vistas. They are doing a great job and the progress is moving rapidly.

The Cedar Mills project for 14 single-family homes is also moving fast. The 3 model homes are progressing rapidly and should be available for viewing soon. Commissioner Biasotti and I were just talking about how homes in that area have been selling fast, so this will be a great development once it hits the market.

## 7. Adjournment

Meeting was adjourned at 7:38 pm

A blue ink signature consisting of two large, stylized loops.

**Aaron Akin**

Secretary to the Planning Commission  
City of San Bruno

A blue ink signature that is cursive and extends to the right.

**Sujendra Mishra, Chair**

Planning Commission  
City of San Bruno

**NEXT MEETING: March 20, 2012**